

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. A. Doherty, et al.

Serial No. 10/339,380

Filed: January 9, 2003

For: SELECTIVE 51P1/EDG1 RECEPTOR AGONISTS

Art Unit: 1626

Examiner: _____

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
 UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL CERTIFICATE
 DATE OF DEPOSIT: 7-12-04
 EXPRESS MAIL NO. 92987591589 US
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
 BEING DEPOSITED WITH THE UNITED STATES POSTAL
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 MAILED BY: [Signature]
 DATE: July 12, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By _____

Date _____

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SJL/

10/501176
DT15 Rec'd PCT/PTO 12 JUL 2004

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

| U. S. SERIAL NUMBER | RELATED APPLICATION | |
|---------------------|---------------------|------------|
| | FILING DATE | MERCK CASE |
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If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Raynard Yuro
Attorney For Applicant(s)

Reg. No. 45,570
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(732)594-0182

Date: July 12, 2004

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SJL/

* Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPL. OF KNOWN

| | |
|-------------------------------|---------------------------------|
| Application Number | To be assigned 10/501176 |
| Filing Date | |
| First Named Inventor | G. A. Doherty, et al. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 21014YP |

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|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|--------------------|----------|-------------------------|-------------|----------------------|---|--|
| | | Office | Number | Kind Code (if known) | | |
| | | PCT | WO 01/27137 | | Smithkline Beecham Corporation | 04/19/2001 |
| | | PCT | WO 91/15583 | | The American National Red Cross | 10/17/1991 |
| | | PCT | WO 99/46277 | | Smithkline Beecham Corporation | 09/16/1999 |
| | | PCT | WO 00/59529 | | Smithkline Beecham Corporation | 10/12/2000 |
| | | PCT | WO 99/60019 | | Smithkline Beecham Corporation | 11/25/1999 |
| | | PCT | WO 01/11022 | | Smithkline Beecham Corporation | 02/15/2001 |
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Examiner
Signature

/Samira Jean-Louis/

Date Considered

11/14/2007

*Examiner: Initial if reference cited in body of application in accordance with 37 CFR 1.09. If not, indicate in Remarks. Do not check if reference is not considered pertinent to applicant's disclosure. If handwritten, copy of this form with next communication to applicant.

REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH: /SJL

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder) Murck & Co., Inc. 09/05/2003

*Substitute for form 1449B/PTO

STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPL [REDACTED] OF KNOWN

| | |
|------------------------|--------------------------|
| Application Number | To be assigned 10/501176 |
| Filing Date | |
| First Named Inventor | G. A. Doherty, et al. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 21014YP |

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

[illegible]

11/14/2007
